D.B. CIVIL SPECIAL APPEAL(W)NO.1458/2006
M/s. Lohagarh Petroleum Ltd. Vs.State of Raj. & Ors.

DATE OF ORDER :: 29-01-2007

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ

Shri Vimal Choudhary, with
Shri S.K. Sukhla, for the appellant.
Shri G.S. Gill, AAG for the State.

This special appeal is directed against the interim order dated 30.11.2006 by which the learned Single Judge vacated the stay granted earlier on 8.6.2005 and thus, rejected the stay application.

The dispute relates to the closure of 29 stone crushers situate within 500 meters on either side of the 'Brij 84 Parikrima route.'

Shri G.S. Gill, Additional Advocate General in reply to the submissions of the appellant's counsel submitted that the writ petition itself is pre-mature as the appellants are aggrieved by the threatened closure of the stone crushers but none of 29 stone crushers has been closed so far. He stated that no stone crusher will be closed without giving opportunity of hearing to the licensees in the light of letter of the Revenue Department dated 17.5.2005 enclosed as annexure-3 to the writ petition.

Counsel for the appellant is satisfied with the statement and agrees that the appeal may be disposed of in those terms.

The appeal stands disposed of.

[MOHAMMAD RAFIQ],J. **[S.N.JHA],CJ.**

Praveen